

REMARKS/ARGUMENTS

This paper responds to the issues raised in the Official Action of December 24, 2009, a Final Rejection, and accompanies a Request for Continued Examination. Claims 8 and 11-12 remain in the application.

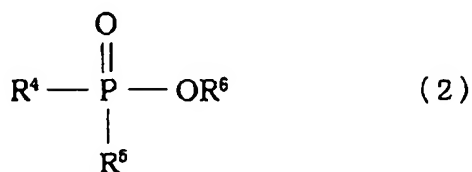
The Final Rejections contains two obviousness-type double patenting rejections. The first refers to co-pending application Serial No. 11/822,484 which is now US patent 7,717,435. In order to advance examination, submitted herewith is a Terminal Disclaimer in respect of this patent.

The second, on page 3 of the Official Action, involves co-pending application Serial No. 10/530,717, also now an issued US patent as 7,413,195. A Terminal Disclaimer in respect of this patent is also submitted herewith in order to advance examination.

The correct series number is 11/822,484, as noted above as is the number of the issued patent. This responds to the comments on page 9, items 18-21.

The balance of the Official Action deals with prior art-based rejections based on US 6,746,768 and the second based on US 5,382,387. Briefly stated, both of these rejections are traversed as the claims of the present application are patentably distinguished from the disclosures of these documents.

In more detail, independent claim 8 now on file requires that the organic phosphorus compound is dispersedly contained in a proportion of 0.1 to 10% by weight in the sheet, and the organic phosphinic acid or its ester is represented by the following formula (2):



where R⁴ is an alkyl group having a carbon number of 1 to 10, an aryl group having a carbon number of 6 to 18, or an aralkyl group consisting of an alkylene portion having a carbon number of 1 to 10 and an aryl portion having a carbon number of 6 to 18, each of R⁵ and R⁶ is a hydrogen atom, an alkyl group having a carbon number of 1 to 10, an aryl group having a carbon number

of 6 to 18, or an aralkyl group consisting of an alkylene portion having a carbon number of 1 to 10 and an aryl portion having a carbon number of 6 to 18.

As seen from the examples and tables of the subject specification, the invention defined by independent claim 8 has an unexpected excellent advantageous effect in which heat resistance is imparted by the organic phosphorus compound dispersedly contained in the sheet. Also, the rate of oxidative wear resistance is high even over a wide temperature range from normal temperature to 700°C or higher. The heat-resistant expanded graphite sheet can be used in various applications. In addition, since the sheet possesses desirable properties including flexibility, easy workability, and the like, which are required for the expanded graphite sheets of this type, molding into a shape corresponding to the application is possible.

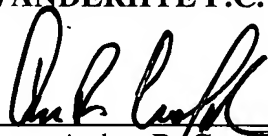
Independent claim 8 of the subject application has the same above limitations as those of US 7,413,195 as pointed out on page 3, item 3 of the current Action and form part of the basis on which the claims of application No. 10/530,717 was allowed. For these reasons claims 8 and 11-12 of the pending application should also be allowed.

Reconsideration and allowance are solicited. Should the examiner require further information, please contact the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Arthur R. Crawford
Reg. No. 25,327

ARC:eaw
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100